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 THE SAN FRANCISCO BAR PILOTS
 BENEVOLENT AND PROTECTIVE
 ASSOCIATION and the SAN FRANCISCO BAR
 PILOTS

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

In the Matter of the Complaint of THE
 SAN FRANCISCO BAR PILOTS
 BENEVOLENT AND PROTECTIVE
 ASSOCIATION and the SAN
 FRANCISCO BAR PILOTS, as Owners
 and/or Charterers, of the *P/V GOLDEN*
GATE, Limitation Petitioners, for
 Exoneration from or Limitation of
 Liability.

Case No.: C 05-2975 MJJ

**STATUS STATEMENT AND
 STIPULATED REQUEST FOR
 DISMISSAL; ~~PROPOSED~~
 ORDER**

FRCP 41(a)(1) and (2)

Pursuant to this Court's Order dated October 23, 2007, the petitioners THE SAN FRANCISCO BAR PILOTS BENEVOLENT AND PROTECTIVE ASSOCIATION and the SAN FRANCISCO BAR PILOTS ["the Petitioners"] and claimant IGOR KWASNIZA submit the following Status Statement and request for dismissal of the Petitioners' complaint.

STATUS

As the Court may recall this action was instituted by the Petitioners on July 21, 2005 seeking exoneration from or limitation of liability pursuant to 46 USC § 763 *et. seq.* [the "Limitation Action"] as the result of a collision between the Petitioners' vessel and a vessel owned and operated by claimants Alexander Newcomb and Igor Kwasniza ["Claimants"]. The Claimants submitted their claims in this action on August 17, 2005. On January 26, 2006, the Court ordered, pursuant to the parties stipulation, that the Limitation Action be

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1 stayed so that the Claimants could pursue their claims against the Petitioners in state court.

2 On March 2, 2007, claimant Alexander Newcomb's claim in the Limitation Action
 3 was dismissed pursuant to stipulation following the settlement of his claim. Claimant Igor
 4 Kwasniza's claim has been actively litigated since that time and on August 23, 2007, the
 5 Superior Court for the County of San Francisco granted the Petitioners' motion for summary
 6 judgment. The order on that motion resulted in judgment being entered in favor of the
 7 Petitioners on all remaining claims in the state court action. The deadline for Mr.
 8 Kwasniza's appealing that judgment has just recently expired.

9 The Petitioners would have only had the need to resume litigating the Limitation
 10 Action [to determine whether they were entitled to exoneration or limitation of liability] in
 11 the event that the claimants prevailed in the state court action. Because the state court
 12 action has now been concluded, there is no need for the parties to resort to this Court for any
 13 further adjudication of the claims. It would now therefore be appropriate for the Court to
 14 dismiss this action in its entirety.

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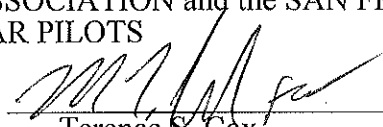
REQUEST FOR DISMISSAL

Based upon the above, the Petitioners request that this action be dismissed in its entirety pursuant to FRCP 41(a)(1) and (2) with each of the parties bearing their own costs and fees.

Dated: October 29, 2007

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BAR PILOTS

By


Terence S. Cox

Dated: October ____, 2007

LAW OFFICES OF LYLE C. CAVIN, JR.
Attorneys for Claimant IGOR KWASNIZA

By:

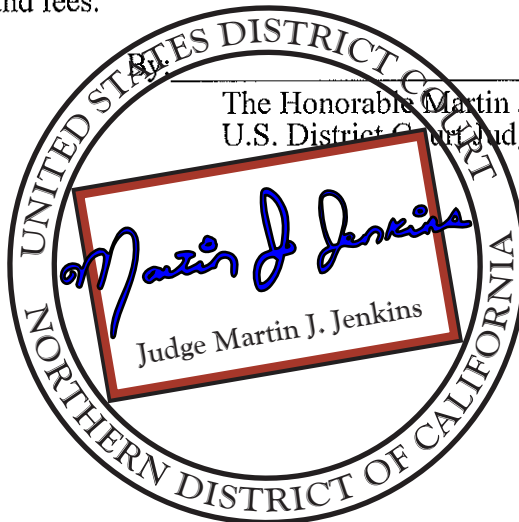
Alfred G. Johnson

ORDER

IT IS HEREBY ORDERED THAT this action is dismissed in its entirety with each party to bear their own costs and fees.

Dated: October 30, 2007

The Honorable Martin J. Jenkins
U.S. District Court Judge



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The Honorable Martin J. Jenkins
U.S. District Court Judge

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